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Date: June 26, 2003By: [Signature]

Willem F. Gadiano, Reg. No. 37,136

#27

Docket No.: 4377.2 (formerly 44033-080)

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

J. Peter KLEIN, et al.

Application No.: 09/288,556

Group Art Unit: 1624

Filed: April 09, 1999

Examiner: R. Raymond

For: **THERAPEUTIC COMPOUNDS FOR INHIBITING INTERLEUKIN-12 SIGNALING
AND METHODS FOR USING SAME****RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents

Mail Stop Restriction/Species Election Requirement

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action of February 26, 2003, wherein an election of species has been required. Please grant a **three (3) month extension of time** under 37 C.F.R. 1.136 for responding to the Office Action and charge the small entity extension of time fee to Deposit Account No. 500417.

The Office Action requires an election of a single species of compound falling within the scope of generic claim 1. In response, Applicants hereby elect the compound species recited in

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Application No. 09/288,556

claim 27. The above election is made without traverse to extent that it is understood that (a) the requirement will be withdrawn upon the finding of an allowable genus; and (b) any species withdrawn from consideration will be transferred to the elected subject matter unless it is found patentably distinct from the elected or allowed claims. Applicants respectfully reserve the right to file continuing applications for non-elected species to the extent not covered by generic claim 1 or any other ultimately allowed claims.

Applicants hereby request any further extension of time deemed necessary. The Commissioner is authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

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